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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,045	03/07/2007	Jan Camenisch	CH920030068US1	5954
54856	7590	01/16/2009		
LOUIS PAUL HERZBERG 3 CLOVERDALE LANE MONSEY, NY 10952				
EXAMINER				
NIGH, JAMES D				
ART UNIT		PAPER NUMBER		
3685				
MAIL DATE		DELIVERY MODE		
01/16/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/575,045

Applicant(s)

CAMENISCH, JAN

Examiner

JAMES NIGH

Art Unit

3685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2006 and 10 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 6-9 and 12-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 10, 11 and 18-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is in response to application filed on 5 April 2006, subsequently amended on 8 December 2008 due to restriction requirement. Claims 1-20 were originally presented and claims 1-5, 10-11 and 18-20 have been elected while claims 6-9 and 12-17 have been withdrawn. Claims 1-5, 10-11 and 18-20 are currently pending and are presented for examination on the merits.

Election/Restrictions

2. Claims 6-9 and 12-17 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 8 December 2008.

Priority

3. Receipt is acknowledged of papers submitted 5 April 2006 under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Examiner's Comment

4. The document TPM Main Part 1 Design Principles, published 2 October 2003 contains the instructions necessary to execute the functionality of the Trusted Platform Module as specified in version 1.2. Further explanation of the TPM functionality is found in the document "TPM v1.2 Specification Changes" that was also published in October 2003, however the exact date of publication cannot be determined. As the application filed at the European Patent Office 03405749.7 has a recorded filing date of 17 October 2003, Examiner is placing reliance on the TPM Main Part 1 Design

Principles, Specification Version 1.2 document as prior art. While it is highly probable that the disclosure listed in the Changes document was known and indeed was the basis for the migration from TPM v1.1b to v1.2, because the exact date is in question, Examiner is treating the Specification Changes document as evidence of inherent properties that existed within the TPM v1.2 as described within the Design Principles document "There is no requirement that a person of ordinary skill in the art would have recognized the inherent disclosure at the time of invention, but only that the subject matter is in fact inherent in the prior art reference" *Schering Corp. v. Geneva Pharm. Inc.*, 339 F.3d 1373, 1377, 67 USPQ2d 1664, 1668 (Fed. Cir. 2003) (rejecting the contention that inherent anticipation requires recognition by a person of ordinary skill in the art before the critical date and allowing expert testimony with respect to post-critical date clinical trials to show inherency); see also *Toro Co. v. Deere & Co.*, 355 F.3d 1313, 1320, 69 USPQ2d 1584, 1590 (Fed. Cir. 2004) ("[T]he fact that a characteristic is a necessary feature or result of a prior-art embodiment (that is itself sufficiently described and enabled) is enough for inherent anticipation, even if that fact was unknown at the time of the prior invention."); *Abbott Labs v. Geneva Pharms., Inc.*, 182 F.3d 1315, 1319, 51 USPQ2d 1307, 1310 (Fed.Cir.1999)

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. **Claims 1-5, 8-11 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**
7. Claims 1 and 8 recite a method for maintaining privacy and recites "a user device having a security module with a privacy certification authority computers and a verification computer". As written the claim incorporates the privacy certification authority computers and a verification computer into the user device which is not in agreement with Applicant's disclosure or with the remainder of the claim. Paragraph 0009 cites "transactions that are performed by a user device with a privacy certification authority and a verifier or verifying party, which typically is a verification computer". Other recitations with disclosure (0010-0012, 0014, 0021, 0028, 0031, 0038) refer to a privacy certification authority computer which would lead a person of ordinary skill to believe that the privacy certification authority is separate from the user device. Claims 1, 6, 8 and 12 also recite a "privacy certification authority computer" which appears separate from the user device, therefore the claim is indefinite. For purposes of claim examination the remainder of the claim will be used to interpret the user device as being separate from the privacy certification authority computers and a verification computer. Clarification is required.
8. Claims 1 and 6 recite "checking the validity of the ... attestation values with the public key of the issuer". It is not clear from the claim what device is performing the method step of checking the signature value and what device has performed the signature. As it is typical to check a signature value using the public key of the signing

party, not the receiving party it is not clear if the user device is checking a signature issued by the issuer or if the issuer is using a practice that would be deemed atypical by a person of ordinary skill in the art. Clarification is required. For purposes of claim examination this will be interpreted as the issuer checking the validity of the signature-attestation values with the public key of the user device.

9. Claims 2 recites a first value "derived from a base value" and a second value "that is derived from said base value". The phrase "derived from" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

10. Claim 3 recites "first and second attestation values that are derived from at least one common value". The phrase "derived from" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

11. Claim 5 also recites "derived from" and is therefore also indefinite.

12. Claim 18 also recites "derived from" and is therefore also indefinite.

13. Claims 2-5, 10-11 and 18 are also rejected as being dependent upon claim 1.

14. Claim 9 is also rejected as being dependent upon claim 8.

Claim Rejections - 35 USC § 102

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(f) he did not himself invent the subject matter sought to be patented.

16. **Claims 1-5, 10-11 and 18-20 are rejected under 35 U.S.C. 102(f) because the applicant did not invent the claimed subject matter.**

17. Examiner cites Paper "Direct Anonymous Attestation", (Direct Anonymous Attestation, CCS '04, October 25-29, 2004, 14 pages) presented by Brickell, Camenisch and Chen on page 5 "The basic idea underlying the direct anonymous attestation scheme is similar to the one of the Camenisch-Lysyanskaya anonymous credential system. A trusted hardware module (TPM) chooses a secret "message" f , obtains a Camenisch-Lysyanskaya (CL) signature...". Paper "A Signature Scheme with Efficient Protocols" (A Signature Scheme with Efficient Protocols", Camenisch and Lysyanskaya, date shown by file properties as 10/11/2002, 22 pages) discusses at length signatures employing zero-knowledge proofs such as the one disclosed in the present invention. Lysyanskaya further recites in phd_1_ (Signature Schemes and Applications to Cryptographic Protocol Design, thesis paper, Massachusetts Institute of Technology, September 2002, 134 pages) on page 5 "The work I did jointly with Jan makes up a substantial part of my research experience, and part of this thesis is based on it" would lead a person of ordinary skill in the art to the conclusion that Camenisch did not independently invent the claimed invention but instead worked jointly with Lysyanskaya, therefore the inventive entity as claimed is not accurate.

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 1-5, 10-11 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over TPM Main Part 1 Design Principles (TPM Main Part 1 Design Principles, Specification Version 1.2, Revision 62, 2 October 2003, 161 pages, Trusted Computing Group, hereinafter referred to as TPM) in view of TPM v1.2 Specification Changes (TPM v1.2 Specification Changes, A summary of changes with respect to the v1.1b TPM Specification, October 2003, Trusted Computing Group, 14 pages, hereinafter referred to as Changes).

20. As per claim 1 a method for maintaining privacy for transactions comprising employing a user device having a security module with a privacy certification authority computers and a verification computer, the verification computer having obtained public keys from the privacy certification authority computer and from an issuer that provides attestation of the security module, the method further comprising the steps of:

TPM discloses receiving a first set of attestation-signature values (9.3, 31, 31.1, 31.2, 31.3, 31.3.1, 31.3.2)

TPM discloses the first set of attestation-signature values being generated by the user device using first attestation values obtained from the issuer (9.3, 31, 31.1, 31.2, 31.3, 31.3.1, 31.3.2)

TPM discloses checking the validity of the first set of attestation-signature values with the public key of the user device (31, 31.1, 31.2, 31.3, 31.3.1, 31.3.2) and Digital Signatures (29.2).

TPM does not explicitly disclose receiving a second set of attestation-signature values, however TPM teaches receiving attestation values (9.3, 31, 31.1, 31.2, 31.3, 31.3.1, 31.3.2, specifically 31.2 and 31.3.3), Digital Signatures (29.2) and Changes teaches the use of these by verifiers (page 3, Motivation for V1.2, page 5, Variable Anonymity and page 7, Named Base Solution), therefore a predictable result (*KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385 (U.S. 2007)) of TPM would have been to use a second set of attestation values for the purpose of establishing a system of trust with third parties.

and TPM does not explicitly disclose the second set of attestation-signature values being generated by the user device using second attestation values obtained from the privacy certification authority computer however TPM teaches receiving attestation values (4, 9.1, 9.3, 9.4, 31, 31.1, 31.2, 31.3, 31.3.1, 31.3.2, specifically 4, 9.1, 9.4, 31.2 and 31.3.3), Digital Signatures (29.2) and Changes teaches the use of these by verifiers (page 3, Motivation for V1.2, page 5, Variable Anonymity, Page 6, Trust Considerations and page 7, Named Base Solution) therefore a predictable result (*KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385 (U.S. 2007)) of TPM would have been to use a second set of attestation values generated by the user device for the purpose of establishing a system of trust with third parties.

TPM does not explicitly disclose checking the validity of the second set of attestation-signature values with the public key of the privacy certification authority computer however TPM teaches checking validity with the public key (9.3, 31, 31.1, 31.2, 31.3, 31.3.1, 31.3.2, specifically 4, 9.1, 9.4 and 31.1), Digital Signatures (29.2) and

Changes teaches the use of these by verifiers (page 3, Motivation for V1.2, page 4-5, DAA Overview and page 7, Named Base Solution), therefore a predictable result (*KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385 (U.S. 2007)) of TPM would have been to use the public key of the privacy certification authority for the purpose of establishing a system of trust with third parties.

and TPM does not explicitly disclose verifying whether or not the first and second sets of attestation-signature values relate to the user device. TPM teaches verifying whether or not the first and second sets of attestation values relate to the user device (4, 9.1, 9.3, 9.4, 31, 31.1, 31.2, 31.3, 31.3.1, 31.3.2), Digital Signatures (29.2), see also Changes (page 3, Motivation for V1.2, 4-5, DAA Overview, therefore a predictable result (*KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385 (U.S. 2007)) of TPM would have been to verify that the attestation values came from the user device for the purpose of establishing a system of trust with third parties.

21. As per claim 2 the method according to claim 1, wherein the step of verifying comprises the step of:

TPM does not explicitly disclose verifying that a first value is derived from a base value, comprised in the first set of attestation-signature values, and identical to a second value that is derived from said base value and is comprised in the second set of attestation-signature values 1, however TPM teaches endorsement keys to verify a first set of values (3), a second set of keys to verify a second set of values (4), a base value, (31.3.2, 31.3.3), Digital Signatures (29.2), (see also Changes (page 3, Motivation for V1.2, 4-5, DAA Overview, Variable Anonymity and 6, Name Based Solution, therefore a

predictable result (*KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385 (U.S. 2007)) of TPM would have been to use a second set of attestation values for the purpose of establishing a system of trust with third parties.

22. As per claim 3 the method according to claim 1, wherein the step of verifying comprises the step of:

TPM does not explicitly disclose verifying a proof that the first and second attestation-signature values are based on the first and second attestation values that are derived from at least one common value 2, however TPM teaches endorsement keys to verify a first set of values (3), a second set of keys to verify a second set of values (4), a base value, (31.3.2, 31.3.3), Digital Signatures (29.2), and verifying (31.1, 31.2) (see also Changes (page 3, Motivation for V1.2, 4-5, DAA Overview, Variable Anonymity and 6, Name Based Solution). Therefore a predictable result (*KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385 (U.S. 2007)) of TPM would have been obvious to use a second set of attestation values for the purpose of establishing a system of trust with third parties.

23. As per claim 4 the method according to claim 2, TPM does not explicitly disclose wherein the base value is different each time the method is applied, however this is non-functional descriptive material "Where the printed matter is not functionally related to the substrate, the printed matter will not distinguish the invention from the prior art in terms of patentability [T]he critical question is whether there exists any new and unobvious functional relationship between the printed matter and the substrate" *In re Gulack*, 217 USPQ 401 (Fed. Cir. 1983), *In re Ngai*, 70 USPQ2d (Fed. Cir. 2004), *In re*

Lowry, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.01 II. However, TPM teaches endorsement keys to verify a first set of values (3), a second set of keys to verify a second set of values (4), a base value, (31.3.2, 31.3.3), Digital Signatures (29.2), and verifying (31.1, 31.2) (see also Changes (page 3, Motivation for V1.2, 4-5, DAA Overview, Variable Anonymity and 6, Name Based Solution). Therefore a predictable result (*KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385 (U.S. 2007)) of TPM would have to change the base value for the purpose of preventing intruder attacks.

24. As per claim 5 the method according to claim 3, TPM does not explicitly disclose wherein the common value is derived from an endorsement key that is related to the security module, however this is non-functional descriptive material "Where the printed matter is not functionally related to the substrate, the printed matter will not distinguish the invention from the prior art in terms of patentability [T]he critical question is whether there exists any new and unobvious functional relationship between the printed matter and the substrate" *In re Gulack*, 217 USPQ 401 (Fed. Cir. 1983), *In re Ngai*, 70 USPQ2d (Fed. Cir. 2004), *In re Lowry*, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.01 II. However TPM teaches all the base values that form the key (31.3.2, 31.3.3) TPM teaches all the functions that can be used to derive a key (2.2.2, 2.2.2.1, 2.2.2.2, 2.2.3, 2.2.3., 2.2.3.2, 2.2.4, 2.2.5, 2.2.6, 3, 4), see also Changes (page 6, Named-Based Solution), therefore a predictable result (*KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385 (U.S. 2007)) of TPM would have been to derive an endorsement key that is related to the security module for the purpose of establishing an environment of trust.

25. As per claim 10 TPM discloses a computer program element comprising program code means for performing the method of claim 1 when said program is run on a computer (2.2.9).

26. As per claim 11 TPM discloses a computer program product stored on a computer usable medium, comprising computer readable program means for causing a computer to perform the method according to claim 1 (2.2, 2.2.8, 2.2.10, 26).

27. As per claim 18 The method according to claim 1

TPM does not explicitly disclose verifying that a first value is derived from a base value, comprised in the first set of attestation-signature values, and identical to a second value that is derived from said base value and is comprised in the second set of attestation-signature values 1, however TPM teaches endorsement keys to verify a first set of values (3), a second set of keys to verify a second set of values (4), a base value, (31.3.2, 31.3.3), Digital Signatures (29.2), (see also Changes (page 3, Motivation for V1.2, 4-5, DAA Overview, Variable Anonymity and 6, Name Based Solution), Therefore a predictable (*KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385 (U.S. 2007)) of TPM would have been to verify an identical value as part of building trust.

TPM does not explicitly disclose verifying a proof that the first and second attestation-signature values are based on the first and second attestation values that are derived from at least one common value 2, however TPM teaches endorsement keys to verify a first set of values (3), a second set of keys to verify a second set of values (4), a base value, (31.3.2, 31.3.3), Digital Signatures (29.2), and verifying (31.1, 31.2) (see also Changes (page 3, Motivation for V1.2, 4-5, DAA Overview, Variable

Anonymity and 6, Name Based Solution), Therefore a predictable result (*KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385 (U.S. 2007)) of TPM would have been to verify that the values are derived from a common value as part of building a relation of trust.

TPM does not explicitly disclose wherein the base value is different each time the method is applied, however this is non-functional descriptive material "Where the printed matter is not functionally related to the substrate, the printed matter will not distinguish the invention from the prior art in terms of patentability [T]he critical question is whether there exists any new and unobvious functional relationship between the printed matter and the substrate" *In re Gulack*, 217 USPQ 401 (Fed. Cir. 1983), *In re Ngai*, 70 USPQ2d (Fed. Cir. 2004), *In re Lowry*, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.01 II. However, TPM teaches endorsement keys to verify a first set of values (3), a second set of keys to verify a second set of values (4), a base value, (31.3.2, 31.3.3), Digital Signatures (29.2), and verifying (31.1, 31.2) (see also Changes (page 3, Motivation for V1.2, 4-5, DAA Overview, Variable Anonymity and 6, Name Based Solution), Therefore a predictable result (*KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385 (U.S. 2007)) of TPM would have been to use different values to prevent attacks.

TPM does not explicitly disclose wherein the common value is derived from an endorsement key that is related to the security module, however this is non-functional descriptive material "Where the printed matter is not functionally related to the substrate, the printed matter will not distinguish the invention from the prior art in terms

of patentability [T]he critical question is whether there exists any new and unobvious functional relationship between the printed matter and the substrate” *In re Gulack*, 217 USPQ 401 (Fed. Cir. 1983), *In re Ngai*, 70 USPQ2d (Fed. Cir. 2004), *In re Lowry*, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP 2106.01 II. However TPM teaches all the base values that form the key (31.3.2, 31.3.3) TPM teaches all the functions that can be used to derive a key (2.2.2, 2.2.2.1, 2.2.2.2, 2.2.3, 2.2.3., 2.2.3.2, 2.2.4, 2.2.5, 2.2.6, 3, 4), see also Changes (page 6, Named-Based Solution), Therefore a predictable result (*KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385 (U.S. 2007)) of TPM would have been to derive the common value from the endorsement key as part of building a relation of trust.

28. As per claim 19 TPM discloses an article of manufacture comprising a computer usable medium having computer readable program code means embodied therein for causing maintenance of privacy for transactions, the computer readable program code means in said article of manufacture comprising computer readable program code means for causing a computer to effect the steps of claim 18 (2.2, 2.2.8, 2.2.10, 26).

29. As per claim 20 TPM discloses a program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for maintaining privacy for transactions, said method steps comprising the steps of claim 18 (2.2, 2.2.8, 2.2.10, 26).

Please note:

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the

specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

Applicant(s) are reminded that optional or conditional elements do not narrow the claims because they can always be omitted. See *e.g.* MPEP §2106 II C: "Language that suggest or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. [Emphasis in original.]; and *In re Johnston*, 435 F.3d 1381, 77 USPQ2d 1788, 1790 (Fed. Cir. 2006) ("As a matter of linguistic precision, optional elements do not narrow the claim because they can always be omitted.").

Conclusion

Pertinent Art not Cited

30. Silverbrook, et al., U.S. Patent 6,442,525.
31. Shamir, et al., U.S. Patent 4,748,668.

Inquiries Concerning this Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES NIGH whose telephone number is (571)270-5486. The examiner can normally be reached on Monday-Thursday 6:45-5:15.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin L. Hewitt II can be reached on 571-272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JAMES NIGH/

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Examiner, Art Unit 3685

/Calvin L Hewitt II/

Supervisory Patent Examiner, Art Unit 3685